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THE MARINE WORKERS' AFFILIATION OF THE PORT OF NEW YORK

AN EXPERIMENT IN INDUSTRIAL UNIONISM

American labor history affords numerous examples of experiments in industrial unionism. The marine workers of the port of New York, however, have formed an affiliation which not only includes all employees engaged in the industry of harbor-marine transportation but also a large number of the foreman or master-workman class some of whom are actual owners of harbor craft and employers of men with whom they are affiliated. Moreover, four of the harbor unions thus affiliated are locals of the International Longshoremen's Association thus serving for practical purposes to unite both dock and harbor labor in support of demands made by either, and two of the unions include in their membership licensed officers of coastwise and overseas vessels.

For the sake of orientation it may be said briefly that the insular location of the cities comprising Greater New York has brought about a large amount of so-called water "trucking," in addition to the transfer of persons by ferries, between points in the harbor. Thus most of the rail lines reaching the port of New York have their terminals on the Jersey shore. Most of the steamship piers are on the Manhattan side. As a consequence, freight must be transferred between rail ends and the other side of the harbor. Moreover, the absence of belt-line facilities together with congested street traffic makes it imperative that "lightering" or "trucking" be done by means of harbor craft.

In 1916, according to figures compiled by the Bureau of Census, United States Department of Commerce, there were 6,117 harbor craft engaged in carrying on the commerce of the port of New York. These were roughly divided into 684 self-propelled and 5,433 non-self-propelled. The self-propelled may be further divided into tugs or other towing vessels, steam lighters, ferry-boats,

and passenger steamers; the non-self-propelled into coal boats, grain boats, scows, dumpers, covered barges, lighters, and car floats.

The ownership of these harbor craft varies from individual to corporate and from municipal to federal. It is estimated that from 30 to 40 per cent of the harbor craft are operated by railroads in the transfer of freight and passengers. The terminal companies and many of the steamship lines have their own harbor-marine-floating equipment. The city of New York, the state of New York, and the federal government operate ferry boats. The Departments of War and Navy and the Shipping Board have become operators of harbor craft in connection with the overseas transportation of men and supplies. In addition to these there are a large number of private owners or companies engaged exclusively in harbor transportation. Owing to incomplete registration of harbor craft, the number of such private owners or companies is not readily determinable, but information available places the number in excess of 400. Some of the owners operate but one or two boats, others several hundred; some operate independently, others are organized into associations.

The number of men employed on harbor craft in the port of New York in 1916, according to United States Bureau of Census figures, was 12,632, of which number 5,656 were on self-propelled and 6,876 on non-self-propelled craft. The services performed by these men represent varying degrees of skill. On many of the unriggered boats the captain is little more than a watchman. Many of the captains live on the boats alone or with their families and go with the boat as it is chartered from operator to operator. Labor of this class is recruited largely from the water front; has been poorly paid in the past and, from an organization standpoint, presents all the problems of the unskilled. At the other extreme are the licensed officers of the self-propelled boats. The master, captain or pilot, and engineer pass a rigid examination and receive licenses by federal authority. The master or captain is in charge of the boat and even the engineer takes orders from him. The licensed officers exercise disciplinary authority over the rest of the crew—the master over deck

employees, the engineer over fireroom employees—and, in some instances, have the power of hiring and discharging.

Omitting variations due to the size of the boat and the character of the service, the occupations represented by the employees operating the several types of harbor craft, together with the jurisdictional claims of the different harbor unions, are:

TYPE OF BOAT	OCCUPATION	UNION
Self-Propelled: Tugs Steam lighters Passenger steamers Ferry boats	{ Master, mate, or pilot	American Association of Masters, Mates, and Pilots
	{ Engineer and assistant	Marine Engineers Beneficial Association
	{ Oilers	Harbor Boatmen's Union ¹
	{ Wheelsmen	
	{ Firemen	Railroad, Port, and Terminal Workers ²
	{ Deckhands	
	{ Porters	
Non-self-Propelled: Car floats	{ Cooks	
	{ Floatmen	
Lighters (with mast and boom)	{ Hoisting engineers	{ International Union of Steam and Operating Engineers
	{ Operators	
	{ Captains	Lighter Captains' Union
	{ Mates	
Covered barges	{ Captains	
	{ Mates	
Coal boats, grain boats, scows and dumpers	{ Captains	Tidewater Boatmen's Union

Obviously the likelihood of any close affiliation between licensed officers and other members of the crew, to say nothing of men employed on the unrigged craft, has seemed very remote. On October 8, 1917, however, a concerted demand was made upon boat owners in New York harbor by the Marine Workers' Affiliation of the port of New York. The unions comprising the affiliation and their relation to national and international organization are shown in the following table:

¹ Admits the following shore employees: boat dispatchers, bridge masters, bridge motormen, bridgemen.

² Restricted to railroad-marine employees.

American Federation of Labor	National Harbor American Association of Masters, Mates, and Pilots	United Association No. 1	Marine Workers' Affiliation of the Port of New York
	Naitonal Marine Engineers' Beneficial Association	Consolidated No. 33	
	International Union of Steam and Operating Engineers	Local 379 ^t	
	International Longshoremen's Association	Lighter Captains' Union, Local 996 ^t	
		Tidewater Boatmen's Union, Local 847	
Harbor Boatmen's Union, Local 321			
	Railroad, Port and Terminal Workers Local 848 ^t		

A brief history of each of the foregoing unions prior to their affiliation will serve to make clear the problems of concerted action and to indicate the importance of the action as an experiment in industrial unionism.

MASTERS, MATES, AND PILOTS

The burning of a passenger steamer at one of the New York Harbor piers in 1880 resulted in the arrest of her captain and engineer who were charged with neglect of duty but were not permitted to appear before the Board of Local Inspectors of steam vessels in the investigation that followed. This event, together with a growing dissatisfaction with steamship inspection laws affecting licensed officers, gave impetus to a movement among licensed pilots to organize nationally. The American Brotherhood of Steamboat Pilots, Harbor No. 1, was formed January 12, 1887. Locals were formed in New York and other harbors and finally in

¹Admitted to the affiliation subsequent to the concerted demands of October 8, 1917.

1900, in order to include in its membership licensed masters and mates, the name of the organization was changed to the American Association of Masters, Mates, and Pilots.

At first the organization tended to become highly localized. Five locals, or harbors as they were called, were organized in the port of New York. These were consolidated in 1903 into what is known as Harbor No. 1, and a business manager was elected.

Only one strike of consequence has been called in the harbor. Late in 1909 the masters, mates, and pilots employed by the marine departments of railroad and terminal companies in the port requested a conference with their employers to take up the question of an eight-hour day. Subcommittees made up of a master and pilot from each of the railroads, with the business manager of the association as chairman, were appointed to deal with the railroads. The terminal employees were given authority to deal directly with their employers. Several conferences were held by the subcommittees with representatives of the railroads but no agreement was reached and on March 15, 1910, the men threatened to tender their resignation effective as of March 31, 1910. Soon afterward several of the railroad representatives submitted a counter-proposal of one day off each week and seven days' vacation each year with pay. This was refused by the subcommittee which, however, receded from the eight-hour day demand and proposed one day off each week with ten days' annual vacation. The ten-day vacation demand was subsequently changed to seven days and an additional demand was made for a slight wage increase.

Several of the railroad companies and all of the terminals succeeded in making individual agreements with their men prior to March 31, 1910. Four of the railroad companies, however, stood out and 91 men went on strike April 1, 1910. Efforts at mediation on the part of the State Bureau of Mediation and Arbitration failed and the railroads proceeded to fill the places of the strikes. On April 17, 1910, the strike was called off by the union. The consequences of the strike were probably more serious to the union than to the employers, though it taught the union the lesson that partial strikes were likely to be unsuccessful. It is probable, too, that the

first seeds of affiliation with other harbor employees were sown at this time.

The association has also suffered reverses from internal dissension. Because of dissatisfaction with the progress of a wage dispute in the summer of 1908, a number of members withdrew from the association and formed an organization known as Independent Harbor No. 1. Again after the strike in 1910, a large number of members left the association because of dissatisfaction with the method of conducting the strike. The general manager, in particular, was severely criticized and shortly afterward resigned, organizing the "American Steamship Licensed Officers' Association, Incorporated." A number of the members of the American Association of Masters, Mates, and Pilots who had supported the general manager went over to the new association, the purpose of which, as expressed in the preamble of its constitution, is to have its members deal directly with their employers and not through an affiliation or union. In this is seen the shadow of the methods used in the 1910 dispute.

Another organization of licensed deck officers was started in March 1912 as the "Neptune Association of Masters and Mates of Ocean and Coastwise Steam Vessels." This association was organized "to unite into one great body the licensed masters and mates of ocean and coastwise steam vessels, and thus enable them to demand and obtain a voice in the making of laws and regulations under which they are governed, to improve the condition and status of the profession generally; to furnish assistance in professional matters, and at the same time to promote cordial relations with employers." Neither of the three associations formed subsequent to the American Association of Masters, Mates, and Pilots has agreements or affiliations with any labor union, and for the most part their membership is composed of licensed deck officers on ocean and coastwise vessels. Hence these organizations are not of especial interest in the harbor situation.

As indicated previously, the American Association of Masters, Mates, and Pilots differs in one very important respect from other craft unions. Its members are looked upon as the direct representatives of the employers' interests. The position of authority in

which the master of the boat is of necessity placed has undoubtedly been responsible for the independent action on the part of the Association of Masters, Mates, and Pilots in demands for wage increases and their former aloofness from other harbor employees in their demands. Indeed, it is not unlikely that the Masters, Mates, and Pilots felt their interests to be different from those of their subordinates or of other labor organizations and made no effort to affiliate with them.

The affiliation of the American Association of Masters, Mates, and Pilots with the American Federation of Labor did not take place until 1916, though it had been under discussion for several years previous and as early as 1910 the Seamen's International Union offered a resolution at the American Federation of Labor Convention, inviting licensed deck officers and marine engineers on merchant vessels to affiliate with the Federation of Labor. The affiliation was probably hastened by the rival organizations established and the desire to prevent such organizations from being recognized by the American Federation of Labor. At the 1917 convention of the American Federation of Labor, the American Association of Masters, Mates, and Pilots introduced a resolution stating that the American Steamship Licensed Officers' Association, Incorporated, is an organization "maintained principally by and for the employers" and that it was instituted for the purpose of destroying the American Association of Masters, Mates, and Pilots. The American Federation of Labor was requested to regard this organization as "inimical to the best interests of labor" and it was urged that "all true friends of organized labor refrain from identifying themselves with it." The resolution further asked that the "Neptune Association" of Masters and Mates of ocean and coastwise steam vessels "be considered as detrimental to organized labor."

MARINE ENGINEERS

The Marine Engineers were organized in the early seventies, though it was not until 1882 that a local was established in the port of New York. This was known as Marine Engineers' Beneficial Association No. 33, and was short-lived. It was succeeded by

Marine Engineers' Brotherhood Association No. 50, the membership of which consisted largely of ferry-boat engineers. Locals were formed in Brooklyn and Jersey City. Engineers on ocean and coastwise steamships were admitted to membership in these locals, but they felt that their interests differed radically from those of engineers employed on harbor boats, and finally in 1888 another local was formed, known as Ocean Marine Engineers' Association No. 69. Three of these locals finally united in the Consolidated Marine Beneficial Association No. 33. The other locals in New York Harbor gradually disintegrated.

Only two strikes of any consequence have been called by the Consolidated Marine Engineers' Beneficial Association. In April, 1903, approximately 200 marine engineers employed by six of the railroads with terminals at the port of New York made demands for increased wages, a twelve-hour working day, compensation for overtime, traveling expenses when relieved or required to report at other than regular points and uniform regulations regarding meals and meal allowances.

A board of arbitration composed of a representative of the engineers and a representative of the railroads heard the case, but being unable to agree upon an award, an umpire was chosen. A decision was rendered June 20, fixing a wage-rate somewhat below the scale demanded. No decision was made on the hours per day and the question of meals was left to be arranged between each company and its employees. The men were allowed two days off each month and one week's vacation with pay—with double compensation for work performed in lieu of days off. The demand for traveling expenses in case of irregular relief or reporting points was granted.

At the same time that demands were made upon the railroads, 1,300 engineers employed by other harbor interests demanded an increase in wages. The demands were granted to all but 150 men who went on strike May 12. About 400 firemen, oilers, and coal passers also went out in sympathy with the engineers, the result being considerable interruption to harbor traffic. No united front was put up, however, and the places of the strikers were gradually filled.

The second strike of the marine engineers occurred in 1916. Early in April of that year, demands for increased wages were made through a circular letter issued by the Consolidated Marine Engineers' Beneficial Association No. 33. Their demands were ignored, and on May 1 a strike was called. The harbor boatmen supported the engineers, and on May 3 it was reported that 450 tugs were tied up, 40 steamships were unable to leave their piers, and 1,500 engineers were idle. An effort was made by the United States Department of Labor to bring about an adjustment, but it did not meet with success. Boat owners, however, began to make individual agreements with their own employees and by May 12, 1916, the strike was virtually ended, the men having obtained by individual agreement substantially what had been asked through the Association.

It has been stated previously that the engineers on ocean-going vessels are inclined to regard their interests as different from the interests of engineers on harbor boats. Shortly after the strike the question arose again. Fifteen ocean-marine engineers, members of Consolidated Marine Engineers' Beneficial Association No. 33, applied for a charter which was granted by the national president in July, 1916. The opposition from Local No. 33 was so strong, however, that the charter was revoked. Another charter was granted to a different group of engineers in August, 1916, but this also was revoked. Finally, an independent organization was formed February 1, 1917, known as "Ocean Association of Marine Engineers." Like two of the associations of licensed deck officers described previously, this Association claimed to be not a labor union but "essentially and exclusively a society for engineers bearing ocean certificates." Similarly, too, it was charged with being supported by and in the interests of steamship companies. Early in 1919, however, a charter was granted by the National Marine Engineers' Beneficial Association, and the charge is presumably withdrawn.

What has been said of the aloofness of masters, mates, and pilots applies in much the same degree to the marine engineers. They, too, represent the interests of the employer and are subject only to the orders of the captain. As a consequence, the idea of

affiliation with other harbor employees or labor unions has been of almost as tardy growth as with masters, mates, and pilots. As early as 1903, however, the question of affiliation with the American Federation of Labor was discussed at the convention of the National Marine Engineers' Beneficial Association, but because of jurisdictional claims raised by international associations of allied trades, such as boiler-makers, steam-fitters and plumbers, and machinists, the matter was dropped. The question was raised again in 1911, and finally in 1916 a charter was granted by the American Federation of Labor. Because of objections again raised by other internationals who felt that local autonomy might be lost, the charter was not accepted at this time. With our entrance into the war, however, conditions of employment changed and in order "to check the movement by unscrupulous ex-members to further extend the activity of clandestine organizations of licensed marine engineers" and to be in a position to secure recognition from government departments in the adjustment of important matters, affiliation with the American Federation of Labor was considered to be imperative. A charter was granted and accepted in November, 1917.

HARBOR BOATMEN'S UNION

The Harbor Boatmen's Union was organized in 1906 and shortly thereafter became affiliated with the International Seamen's Union of America. With the exception of the recently organized Railroad, Port, and Terminal Workers' Union, the Harbor Boatmen's Union is the only one of the harbor unions that does not follow craft lines. Jurisdiction is claimed over cooks, deck-hands, firemen, oilers, porters, and wheelmen on self-propelled boats, over floatmen on car floats, and as well over boat dispatchers, bridge masters, bridge motormen, and bridgemen employed at the dock or bridge.

Four strikes have been called, one in 1906, one in 1908, one in 1910, and the last in 1914. In addition to these, sympathetic support was given the engineers in the 1916 strike. From a union standpoint, the strikes have not been very successful. The 1906 strike involved about 250 employees, employed by five companies. Four companies granted substantially the wage increases demanded, the fifth company refused, and the places of the strikers were filled.

In the 1908 strike about 60 men employed by five companies struck against a reduction in wages. The employers refused to meet union representatives, but agreed to pay the same rate of wages as before the strike, and the men returned to work. The 1910 strike occurred at the same time as the strike of masters, mates, and pilots. About 750 of the harbor boatmen were affected, but the employers refused to confer with representatives of the union and filled the places of those strikers who would not return to work under individual agreement. In the 1914 strike only 90 employees were affected and these returned to work under the former conditions without the consent of the union.

This failure on the part of the Harbor Boatmen's Union to obtain wage increases and working conditions comparable with those obtained by other harbor unions was held to be due to the competition of shore unions of cooks and firemen whose members were employed on harbor craft and to insufficient support from the International Seamen's Union. The latter union, in turn, charged "that certain local officials of the International Longshoremen's Association have quietly but energetically sown the seeds of disruption among the members of the Harbor Boatmen's Union." At any rate, the harbor boatmen withdrew from the International Seamen's Union in December, 1916, and affiliated with the International Longshoremen's Association as Local 847, Series 1. Subsequently the number was changed to Local 321.

LIGHTER CAPTAINS

Non-self-propelled boats other than those classed as tidewater boats or car floats may be designated as lighters and barges. The Lighter Captains' Union claims jurisdiction over the captains and mates of these boats. The union was first organized in 1913 as the Lightermen's Brotherhood Association. The objects of the association were purely social and benevolent, and it existed as a fraternal insurance organization until 1917, when a desire to improve the wages and working conditions of its members led to its organization as a labor union. The new organization was chartered in October, 1917, as Lighter Captains' Union, Local 847, Series 2, of the International Longshoremen's Association, the number being

changed later to Local 996. It did not, however, become a member of the Marine Workers' Affiliation until after the concerted demand of October, 1917. When first organized as a Lighter Captains' Union only captains were admitted, but later the so-called mate or assistant sometimes employed was admitted.

STATIONARY MARINE HOISTING ENGINEERS

A considerable number of the harbor craft designated as lighters are equipped with hoisting gear—steam, gasoline, or hand—for loading and unloading cargo. Those equipped with steam-hoisting gear carry an engineer in addition to the captain. Gas hoists are operated either by the captain or by an engineer. The International Union of Steam and Operating Engineers claims jurisdiction over these engineers through Local 379 organized about 1906. Prior to this, however, the hoisting engineers on harbor craft were organized into an independent union of Harbor Engineers. This union later became a local of the International Longshoremen's Association retaining its affiliation until 1906.

The members of Local 379 have had one strike of consequence. In 1915 the union demanded a wage increase which was refused. About 350 men were on strike for five weeks but were unable to secure their demands. It is charged that the engineers did not receive the support of other harbor unions and that the places of some of the strikers were filled by members of allied trade unions. Some of the employers substituted gasoline-hoisting gear for steam and were able to get their lighter captains to operate the gasoline hoists. This practice finally led to the admission into the union of operators of gas hoists.

Local 379 is affiliated with the American Federation of Labor through its International, and in January, 1918, became a member of the Marine Workers' Affiliation of the port of New York.

TIDEWATER BOATMEN

Certain types of one-man non-self-propelled boats, namely coal boats, grain boats, scows and dumpers, are designated as tidewater boats. In the fall of 1902, a number of the captains of these boats organized what is known as the Tidewater Boatmen's Union. By

September, 1903, a membership of nearly 1,500 was claimed, but the members became dissatisfied with the union officials, charging mismanagement and misappropriation of funds, and, in 1905, the union went out of existence. The union was later reorganized and by September, 1907, a membership of 1,800 was claimed.

A wage increase was demanded in October, 1907, which was refused by employers. As a result of this refusal, a strike was called November 1, 1907, affecting 1,800 employees and 88 boat owners. The owners refused to arbitrate or to meet union representatives. Individual employers, however, negotiated with the union and wage increases were granted to all but 180 men employed by two owners.

Trouble with union officials was again the cause of dissatisfaction among members and is assigned as the reason for the decline in membership following the 1907 strike. By September, 1909, there were less than 250 members in the union. During 1910, the membership began to increase and by the fall of 1913, when new wage demands were presented to employers, the union claimed nearly 2,000 members. Practically all of the 2,000 members are reported by the union as on strike, January 2, 1914, to enforce the 1913 demands. Conferences were held between employers and union officials and wage increases were granted to about 1,900 of the men on strike.

After the strike the membership again declined, this time to about half the number before the strike, and did not revive until 1917 when plans were made for new demands.

The rise and fall in membership of the Tidewater Boatmen's Union is characteristic of any local union of unskilled employees which is not guided in its policies and activities by the officials of a stronger and more stable parent organization. This the Tidewater Boatmen's Union did not have until 1913, when it was chartered as Local No. 847 of the International Longshoremen's Association.

RAILROAD, PORT, AND TERMINAL WORKERS

The most recent of the harbor unions is the Railroad, Port, and Terminal Workers, organized in July, 1918, ten months after the concerted demands of 1917. Except that it is restricted to railroad-marine employees, the occupations over which the Railroad, Port,

and Terminal Workers claim jurisdiction are identical with those represented by the Harbor Boatmen's Union. Both are locals of the International Longshoremen's Association. The Railroad, Port, and Terminal Workers, however, were only recently admitted to the Marine Workers' Affiliation. The reasons for this, together with the circumstances giving rise to the seeming conflict of jurisdiction between two of the harbor unions, belong properly to a consideration of the problems growing out of concerted action.

MARINE WORKERS' AFFILIATION OF THE PORT OF NEW YORK

It will be evident from the foregoing brief history of the various harbor unions that each had worked more or less independently of the other. Prior to 1917, there had been no concerted demand and the support accorded to a union on strike by other harbor unions fell far short of being whole-hearted. This was particularly true in the attitude of the licensed officers and engineers toward other harbor employees. Thus in the strikes of the harbor boatmen, the engineers and captains continued to operate the boats with such help as the owners were able to provide. Even between the captains and engineers there were often grievances and a lack of cordial co-operation due in a measure to the feeling on the part of the engineers that the captains stood closer to the boat owners and worked hand in hand with them.

After the strike of the masters, mates, and pilots in 1910, however, the Marine Engineers' Association and the American Association of Masters, Mates, and Pilots began to plan for closer co-operation and appointed a committee to "devise a means of connecting the two associations to the extent of being able to support, advance, and safeguard the economic interests of both organizations and their members collectively and individually."

Finally in the early part of 1913, a joint committee made up of the president, first vice-president, and business manager of each of the two associations, and a member of each association for each branch of the steamboat service, that is, one steamboat, one ferry boat, one independent tug, one passenger steamboat, and one yacht, was permanently organized as the Marine Officers' Working Affiliation, Nos. 1 and 33. The reason assigned for this

action was that this was a "day of combinations of industrial and professional organizations for the better security and advancement of their like interests . . . and because the masters, mates, and pilots, and marine engineers interests are so closely identified that contrary action on the part of either is injurious to the other and assistance by either is beneficial to both."

The constitution of the Marine Officers' Affiliation provided that regular meetings should be held once a month and in the matter of disputes the following provisions were made:

First. All reports of grievances arising between a master, mate, or pilot and an engineer shall be submitted to their respective associations, and, if accepted, the other association shall be so notified and the matter adjusted at the next earliest meeting, regular or special, of the Marine Officers' Working Affiliation.

Second. Reports of grievances arising between the members of either association or agents shall be made to their respective association, and if co-operation be desired, the president of each association shall appoint the requisite number of members of the Marine Officers' Working Affiliation who shall form a joint committee to adjust such grievance. The association whose grievance is to be adjusted shall have a majority on such committee. No member required to serve on a committee appearing before his employers.

Third. No member of either association affiliated shall be permitted to sign any petition detrimental to the interests of any other class of organized labor.

Except for the third provision above, there was no suggestion in this affiliation of co-operation with other harbor employees. At the 1915 convention of the American Federation of Labor, however, the International Longshoremen's Association requested the convention to arrange for conferences of representatives of the international unions of the marine trades for the purpose of discussing the formation of a marine trade department within the American Federation of Labor in order to combat the increased strength of the shipping companies. This did not have especial reference to the port of New York, and nothing further was done toward co-ordinating the unions of New York harbor employees until the 1916 strike of the marine engineers. During this strike the engineers received the active support of the harbor boatmen. A working agreement was entered into between the Marine Officers' Affiliation and the Harbor Boatmen's Union which, while not

admitting the latter to membership, paved the way for a better understanding and provided for mutual support.

Early in 1917 the affiliation began making plans for a concerted effort to better wages and working conditions. Representatives of the Harbor Boatmen's Union and of the International Longshoremen's Association met frequently with the Marine Officers' Affiliation and pledged their support. On May 29, 1917, the Marine Engineers' Association sent a letter to the New York Boat Owners' Association requesting a conference for the purpose of adjusting wage-rates. The New York Boat Owners' Association referred the matter to the New York Towboat Exchange composed of towing interests and a conference was agreed upon for June 20, 1917, on which date the marine engineers submitted to the New York Towboat Exchange, a formal demand for a flat increase of \$25.00 per month to engineers on harbor vessels, a twelve-hour day and an overtime rate of \$1.00 per hour. On the same date, the masters, mates, and pilots met in conference with the Towboat Exchange and submitted demands identical in most respects with those of the engineers. In the meantime the Harbor Boatmen's Union had written to the Towboat Exchange on June 19, requesting that they be considered in the conference with the engineers and the masters, mates, and pilots. This request was refused, as was also a subsequent request from the engineers to the same end. The consequence of this refusal was that negotiations with the engineers and masters, mates, and pilots were discontinued, the engineers charging the Towboat Exchange with an arbitrary attitude inimical to the best interests of the harbor, the Exchange charging the engineers with violation of the agreement for a conference with only the engineers and with an attempt to force the members of the Exchange to recognize the Harbor Boatmen's Union.

Telegrams were sent to the Secretaries of Commerce and Labor by the marine engineers requesting intervention and investigation. Mediation was attempted by the United States Department of Labor and by the State Board of Mediation and Arbitration, but without success.

In the meantime, at the July, 1917, convention of the International Longshoremen's Association, delegates from the Harbor

Boatmen's Union and the Tidewater Boatmen's Union introduced a resolution stating that "because the conditions of the marine organizations of New York and vicinity are more or less uncertain with regard to their work and organization, mainly because they do not work together as they should," such conditions would be improved by meetings of the officers of the various organizations at least once a month to discuss matters of general interest. The convention was requested to take steps to bring about an organization in the nature of a marine council in the port of New York. At the same convention it was requested that a special organizer, eligible to membership in locals of the International Labor Association, be appointed "to work in conjunction with masters, mates, and pilots and the marine engineers, and assist in maintaining harmony and close co-operation between the above named organizations."

The unsuccessful attempt on the part of state and federal agencies to bring about a settlement, together with the representation on government boards and councils accorded to labor in other industries, undoubtedly strengthened the harbor employees in their determination to act concertedly and to obtain recognition. This feeling was aggravated, too, by the attempt on the part of owners to make individual agreements with their employees. On October 5, 1917, at the request of the Marine Engineers' Beneficial Association No. 33, representatives of the marine engineers, the masters, mates, and pilots, the Harbor Boatmen's Union and the Tidewater Boatmen's Union met for the purpose of affecting closer relations and gaining united support. The result was a working agreement and the formation of the Marine Workers' Affiliation of the port of New York. Demands were formulated, and on October 8, 1917, these were sent to the various boat owners by the newly created Marine Workers' Affiliation. The demands specified that none but members of the four associations forming the affiliation should man harbor boats and that the wage schedule and rules should take effect at 6 A.M. of November 1, 1917. Immediately thereafter, steps were taken by the Marine Engineers' Beneficial Association and by the American Association of Masters, Mates, and Pilots to secure the resignations required by law of licensed officers before they can quit work.

ARBITRATION

Before the strength of the Affiliation could be put to the test, representatives of employees were requested to appear before the United States Shipping Board. An agreement was reached whereby the demands would be submitted to an arbitration board made up of a representative each of employees, employers, and the government. This form of arbitration was opposed by employers on the ground that their employees were not organized and that the so-called representatives did not represent harbor-marine labor. Finally, on October 20, 1917, it was agreed that all disputes affecting wages and working conditions, which could not first be adjusted by employers and employees, were to be submitted during the period of the war to a strictly government board of arbitration made up of a representative each of the Department of Commerce, the United States Shipping Board, and the United States Department of Labor. It was further provided that "this government board shall have no authority to pass upon the question of open or closed shop or the recognition of unions, but there shall be no discrimination of any kind against union men and the board shall have power to determine questions of discrimination."

In the arbitration that followed employers objected persistently to having anything to do with the Marine Workers' Affiliation and expressed the fear that arbitration would eventually lead to the recognition of unions. The railroad-marine interests objected particularly to being classed with other harbor-marine interests on the ground that there was nothing in common either in method of operation or in the fixing of rates. Hearings were held separately with employers and employees in order to avoid the question of the "open or closed shop, or the recognition of unions." An award was made November 16, 1917, establishing minimum wage-rates and working conditions for the several classes of marine labor over which the Marine Workers' Affiliation claimed jurisdiction. This included the lighter captains in addition to the employees represented in the demands first presented, the Lighter Captains' Union having joined the Affiliation just prior to the arbitration proceedings.

The Marine Workers' Affiliation was admittedly brought about in part by the strategic position of labor in the port due to the

unusual demands of war and in part by the uncompromising attitude of many boat owners toward harbor unions, particularly the unions of unlicensed men on harbor boats. Had the war ended within a few months after the award was made, or had boat owners immediately fallen into line and complied strictly with the award, it is doubtful if the Marine Workers' Affiliation would have been more than a half-completed experiment. As it was, no action was taken immediately toward perfecting the Affiliation. For a time neither constitution nor by-laws were adopted and doubt was expressed as to the practicability of attempting a close affiliation of licensed and unlicensed men. The former were tolerant; the latter distrustful of the others. Meetings were held infrequently and these fell far short of being harmonious.

The continuation of the war with the accompanying demand upon the man power of the nation gave labor an economic power that can hardly be overestimated. Rapidly rising prices bred discontent which adjustment agencies sought to quiet by frequent wage increases. New York harbor employees were thus faced on the one hand with high prices and a knowledge of wage increases in other industries in excess of what they had been awarded, and on the other hand by a failure of a large number of boat owners to comply with the award, some ignoring it, others complying half-heartedly. These circumstances served to give form and permanency to the Affiliation and to make of it something more than a letterhead organization.

Violations of the award had an immediate effect on both union and non-union employees. Employees who were members of unions proceeded to report violations of the award to their representatives and to ask embarrassing questions concerning the enforcement of the award. Representatives of unions quite naturally exerted themselves most actively on behalf of members of their organizations and were able to use the argument, "If you want it, join the union." This does not imply that any preference was given by the Board of Arbitration to union employees in the adjustment of complaints. On the contrary the Board sought to carry out the letter of the agreement and warned representatives of the unions that they were violating the agreement if they approached employ-

ers with complaints of their members. Very few complaints were filed with the Board, however, either by or on behalf of non-union employees. The growth in union membership was rapid and employers who had previously asserted that their employees did not belong to a union and were fully satisfied with wages and working conditions awoke to the realization that their employees had become union members and filed complaints against their employers.

The newly acquired members of the unions were the most impatient over delays in securing compliance with the award. Many had become members on the assurance that the "union would see that they got the award." Union meetings became an open forum for criticizing the union representatives and the Board of Arbitration. Finally the unrest became so great that the Shipping Board subpoenaed some sixty boat owners and threatened seizure of property if compliance was not immediate. This had a salutary effect and compliance became rather general. The unrest that had developed, however, now found expression in new wage demands on the part of the three unions of unlicensed men to whom an award had previously been made, and original demands by a union recently admitted to the Affiliation, the International Union of Steam and Operating Engineers, which claimed jurisdiction over men operating stationary hoisting engines on harbor craft. An award was made to steam and operating engineers, but except for certain conciliatory interpretations of the previous award, the demands of the other three unions were denied by the Board of Arbitration.

Immediate exception was taken by the hoisting engineers to the award, and by the three unions of licensed men to the refusal of the Board to reopen their case. Representatives of the licensed pilots and marine engineers attempted to defend the decision of the Board and in so doing nearly broke up the Affiliation. The Lighter Captains' Union went so far as to pass a resolution withdrawing from "that part of the Marine Workers' Affiliation known as the Masters, Mates, and Pilots and Marine Engineers," but no action was taken by the Affiliation and the Lighter Captains' Union repealed the resolution. In the meantime, an appeal was taken to the National War Labor Board and representatives of employers

and of the unions were directed to appear before the Board, thus meeting for the first time in joint conference. The result was a modification of the original agreement to provide for two additional board members, one representing employers and one representing employees, and for a rehearing of the then existing demands before the enlarged board.

CONFLICTING JURISDICTION OF GOVERNMENT INTERESTS

The rehearing was given and an award agreed upon, but before it could be promulgated the Director General of Railroads, in what was known as Order No. 27, announced a general wage adjustment with a recognition of the principle of the eight-hour day to all employees including railroad-marine employees who in the port of New York comprised approximately 35 per cent of the total harbor employees.

This action of the Railroad Administration was taken apparently without considering or fully appreciating that an agency had been created by agreement some seven months previous for the adjustment during the period of the war of wages and working conditions of New York harbor marine employees, including railroad-marine employees, to which agreement the railroads, then under private management, were parties and that a representative of the Railroad Administration was a party to the modified agreement secured before the National War Labor Board. Moreover, with the taking over of the operation of the railroads by the government and the appointment of a Railroad Wage Commission, the dangers of divided jurisdiction in the port of New York and elsewhere were foreseen and brought to the attention of the Commission with the result that in its recommendations those employees were excluded whose wages and working conditions were established by agencies of the government created subsequent to our entry into the war. This recommendation was not approved by the Director General of Railroads, who instead specifically directed that the wage increases recommended by the commission should apply to railroad-marine employees.

To avoid, if possible, further confusion in New York Harbor, conferences were arranged between the Shipping Board, the New

York Harbor Board, and the Railroad Administration and an understanding reached whereby Order No. 27 was withheld in its application to railroad-marine employees in the port of New York and awards of the Harbor Board were to be made recommendatory to the Railroad Administration. The agreement creating the Harbor Board was again modified to provide for two additional members, one representing the railroads and one representing employees. An award was issued July 12, 1918, effective until May 31, 1919, "unless in the judgment of the Board conditions warranted a change prior to the date thus fixed for expiration."

This award like the one previously issued provided only for minimum wage-rates and working conditions. Some of the wage-rates thus established were lower than railroad-marine employees would have received under Order No. 27. The order had been misinterpreted, moreover, in respect to the principle of a basic eight-hour day, recognition of which was emphasized in the order, many employees contending that it was the intention of the Director General to establish the eight-hour day. Railroad-marine employees in the port objected immediately to being placed under the award of the Harbor Board and committees appeared before the Board of Railroad Wages and Working Conditions protesting against withholding from them the application of Order No. 27. Unlicensed men proceeded to organize the Railroad, Port, and Terminal Workers' Union. Firemen on some of the boats struck, demanding the eight-hour day and the application of Order No. 27. Further conferences were held and the Director General issued a new order directing that wherever employees were entitled to more under Order No. 27 than under the harbor award, the railroad award would prevail. This at once restored differentials as between identical classes of railroad-marine labor. It was brought to the attention of the harbor board that the Railroad Administration was seeking to do away with wage differentials within an occupation and that in accordance with this policy, the Harbor Board was requested to recommend an upward standardization of wages to railroad-marine employees on the basis of the highest rate paid in each occupation. The Harbor Board refused to make the recommendation on the ground that wages had once been standardized

by an award to which the railroads both under private and public management were parties, that this standard had been upset by the Railroad Administration and that a further differential as between the wages of employees on public and privately operated boats would result in destructive competition for labor. The Harbor Board and the Shipping Board conferred with the Railroad Administration and it was agreed that no further change would be made in the wage and working conditions of railroad-marine employees except on the recommendation of the Harbor Board.

To avoid a repetition in other ports and other industries of the New York harbor situation, a Conference Committee of National Adjustment Agencies was formed to which awards touching classes of labor over which more than one adjustment agency had jurisdiction would be referred for review before being promulgated. Notices were sent to the various local boards and commissions including the New York Harbor Board instructing them not to issue awards until the Conference Committee had given its approval.

About this time, the Railroad Administration began to put into effect a basic eight-hour day with further wage increases to a large number of employees. The exclusion of railroad-marine employees from these advantages, in the face of the previous proposal of the Railroad Administration to standardize their wages upward, led to considerable dissatisfaction. The harbor unions and the Board of Arbitration were criticized by railroad employees and accused of seeking to withhold from them what the Railroad Administration was anxious for them to enjoy. Committees of employees again appealed to the Board of Railroad Wages and Working Conditions and were directed to apply to the Harbor Board. The Harbor Board, in turn, requested the Railroad Administration to advise whether hearings should be held and recommendations made. Several weeks elapsed before a reply was received requesting the Harbor Board to hear the demands of the railroad-marine workers and, in the meantime, the Harbor Board was notified by the Marine Director of the Port for the Railroad Administration that the Administration had authorized the upward standardization of wages previously proposed. The Harbor Board immediately placed the matter before the Conference Committee to ascertain whether that

committee had approved the increases ordered by the Railroad Administration and was advised that the action had not been approved and would be taken up with the Railroad Administration.

This upward standardization of wages to railroad-marine employees together with the general trend of wage adjustments in other industries and the announced policy of the Railroad Administration of granting the basic eight-hour day to all railroad employees added fuel to the smoldering unrest in the harbor. On November 6, 1918, the Railroad, Port, and Terminal Workers, comprising the unlicensed men on railroad boats, refused to work until they received the eight-hour day. The action was repudiated by the Marine Workers' Affiliation, to which the Railroad, Port, and Terminal Workers had not been admitted, but two days later the Affiliation on behalf of all marine employees, presented demands for wage increases and for an eight-hour day.

In the hope of averting what seemed to be a rapidly approaching crisis, the Harbor Board notified the Railroad Administration of the situation and advised that hearings must be held at once, but that unless the future policy of the Railroad Administration was known, the Harbor Board could not proceed safely or intelligently to make recommendations in the case of railroad-marine employees. Telegraphic reply was received to the effect that the Railroad Administration had decided to adjust the wages of its marine employees through its own agencies. In fact, the case of the railroad men on strike was then being heard, and shortly thereafter it was announced that a wage increase and the basic eight-hour day had been recommended to the Director General.

The Harbor Board was thus faced with the alternative of adopting the settlement about to be made by the railroads, or of adding to the confusion by proceeding to make an award applicable only to employees on other than railroad-operated boats. The Harbor Board, however, announced a hearing for November 15, 1918. Private boat owners now took the position that they would not consent to a reopening of the case until May 31, 1919, the date of expiration of the award, and refused to appear. The railroad representative on the Board advised that he had been directed to withdraw from the Board. In view of this attitude of private

owners and the Railroad Administration, the Harbor Board met and in a lengthy resolution recited the conflict of jurisdiction concluding that

WHEREAS, The Board now has before it demands from harbor employees presented through the Marine Workers' Affiliation of the Port of New York and asking that the decision of the Board on these demands be made applicable to all harbor employees, and

WHEREAS, In view of the action taken by the Railroad Administration, the Board is without authority to act for all harbor employees, yet, with the interest of the entire port in mind, cannot take any action not applicable to the entire port, and

WHEREAS, The Board feels that the situation has at no time justified a departure from the policy of standardizing wages and working conditions of all harbor-marine employees and that such departure has not only created dissension within the ranks of labor and led to competition for labor contrary to governmental policy, but has brought governmental agencies of adjudication into disrepute, destroying their affectiveness, and now bids fair to create an uncontrollable situation, and

WHEREAS, The problems of reconstruction make it immediately imperative that action be taken to protect the marine interests of the port by making effective a policy comprehending all interests, and

WHEREAS, All efforts of the Board of Arbitration in this direction have been set at naught by the unwillingness of the railroads to concede an identity of interests, or to consider the general interests of the port, and

WHEREAS, The continuance of this Board under the circumstances set forth apparently will not lead to a re-establishment of the principles upon which the Board feels the entire marine interests of the port depend, and may conceivably prevent the restoration of such principles by means of other agencies, now therefore be it

Resolved, That this Board recommend its own dissolution and that concurrently with such dissolution an agency be set up vested with authority to review the entire situation and to make recommendations which, when approved in the light of a national labor policy, shall be issued as an award applicable to all harbor-marine employees and interests.

In the meantime, however, dissatisfaction on the part of some of the railroad employees with the proposed settlement, made for a delay in the issuance of the formal order by the Railroad Administration announcing the terms of the settlement and suggested the possibility of some arrangement whereby further conflict of jurisdiction might be avoided. To this end the Shipping Board called a conference at Washington, November 29, 1918, of representatives

of employers and employees and of all government departments interested in the operation of harbor craft in the port of New York. At this conference boat owners repeated their objection to a reopening of the case but did not refuse absolutely to arbitrate. The Railroad Administration signified its willingness to co-operate, agreed to withhold its decision in their proposed adjustment until the Harbor Board could make recommendations, and offered to detail a representative to sit with the Harbor Board in an advisory capacity.

As a result of the conference with the Shipping Board and other interests, the Harbor Board called a hearing for December 6, 1918. Boat owners appeared by counsel and gave notice that they considered the Board no longer existent, it having been created for the period of the war which had terminated with the signing of the armistice; denied the jurisdiction of the Board and refused to be bound by any decision it might make. They signified their willingness however, to permit the Board to determine whether there had been an increase in the cost of living and to grant wage increases in accordance therewith. The Board refused to be restricted in its determination and proceeded to hold a conference with the Shipping Board and the Railroad Administration for the purpose either of making an award on *ex parte* testimony or of deciding upon some other course of action. A new agreement was proposed as a compromise providing for the establishment of a new board of arbitration made up of two representatives each of harbor boat owners and employees and an umpire to be chosen by these four, or, in case of failure, to be selected by the National Adjustment Commission of the Shipping Board. It was further provided, that if the board thus created did not accomplish a settlement, the National Adjustment Commission would hear and determine the case. This proposition was accepted by employees but refused by employers who based their refusal on an unwillingness to arbitrate the question of the eight-hour day.

This refusal of employers to accept a new agency of arbitration was followed by the withdrawal of the employer member of the Harbor Board, the Board thus being left in the position that if an award was made it would be without evidence from employers and

without employer representation on the Board. In view of this, and faced with the knowledge of an impending strike, the Harbor Board appeared before the National War Labor Board, stating its inability to act under the circumstances and requesting that body to assume jurisdiction. The War Labor Board called a hearing, citing employers and employees to appear and show cause why they should not proceed under the arbitration agreement. Private boat owners refused to recede from their position. The Railroad Administration signified its willingness to co-operate, but would not agree in advance to be bound by the decision. The War Labor Board ruled, however, that the agreement was binding on all parties, upheld the jurisdiction of the Harbor Board, directed that any vacancies on the Board should be immediately filled by the appointing powers and that if either employers or employees wished a revision of the award they should seek such revision in accordance with the provisions of the award.

In accordance with this ruling of the War Labor Board the signatories to the agreement or modifications thereof creating the Harbor Board were requested to fill vacancies on the Board. A hearing was announced for December 27, 1918, but neither the Railroad Administration nor the boat owners named representatives on the board in place of those withdrawn, and the boat owners now took the position that they would follow the lead of the Railroad Administration and reserve the right to accept or reject any finding that might be made. This position was modified the following day so as to constitute a refusal to arbitrate the eight-hour day, or to name an employer member on the Board, regardless of what action the Railroad Administration might take.

Under these circumstances the remaining members of the Harbor Board met and adopted the following resolution:

WHEREAS, Certain signatory parties have refused or failed to reappoint members to fill vacancies on this Board in accordance with their agreement and its modifications constituting this Board, and it is therefore impossible to reconstitute this Board in accordance with the rulings of the National War Labor Board and to properly arbitrate the present demands of the signatory employees, it is

Resolved, That this Board declines to act in this case and that the demands presented to it by the employees be referred to the National War Labor Board, and recommends that that Board hear these demands.

Representatives of employees sent a telegraphic appeal to the National War Labor Board stating that the Harbor Board had refused to act and requesting that the War Labor Board assume jurisdiction. The Secretary of Labor and the Shipping Board joined in the requests thus submitted and declared a grave emergency to exist. A hearing was called by the War Labor Board, January 7, 1919. Boat owners and the Railroad Administration refused to accept the jurisdiction of the Board or to agree in advance to be bound by its findings. Boat owners, however, proposed a new board of arbitration made up of three representatives each of employers and employees and an impartial chairman. This board should have power to arbitrate wages. In the matter of hours and conditions of employment they proposed a committee of twenty-four members; each side to choose six representatives of employees and six representatives of employers. This committee should make a thorough investigation for a period of not less than thirty days and recommend by majority vote to the Arbitration Board which board had the power to accept or to reject. After a brief public hearing, the Board went into executive session with representatives of employers and employees. The sessions were continued the following day, but no agreement was reached. Employees refused the kind of arbitration proposed by employers, objecting particularly to the stipulation that the investigation into hours and conditions of employment should extend over a period of thirty days or more. When it became apparent that the deadlock could not be broken either by creating a local agency or by securing a submission from employers, the War Labor Board announced its inability to act in the following decision:

The National War Labor Board finds itself unable to secure a settlement of the controversy with reference to the New York Harbor situation, for the following reasons:

1. Private boat owners and the Railroad Administration failed to comply with the order of the Board of December 21, 1918, to fill the vacancies existing on the New York Harbor Wage Adjustment Board.
2. The private boat owners and the Railroad Administration refused to submit the case to the National War Labor Board and to agree by its decision.
3. The private boat owners refused to submit the question of an eight-hour day to any other proposed form of arbitration, except after an investigation

for a period of not less than thirty days by a specially created Conference Committee supplementary to the Arbitration Board.

Under the principles and policies of the National War Labor Board, we cannot proceed further and give assurance of rendering a definite and binding decision, except in face of joint submission.

This case, which was instituted on November 8, 1918, by the employees, has already been subjected to long delay, and we feel that it would not be just to the parties to the controversy further to prolong consideration by this Board.

We further take this means of notifying the parties to the controversy—the employees, the private boat owners, and the Railroad Administration—and the various governmental departments at whose instance we took up this case, viz., the Department of Labor, the Shipping Board, and the War and Navy Departments, that we have been unable to effect a settlement of the case, either by mediation or conciliation.

In making this declaration, the National War Labor Board earnestly appeals to the parties to this controversy, the employers and employees in New York Harbor, to immediately organize a Local Board of Arbitration and Conciliation for the adjustment of all controversies.

This decision was followed by a public statement issued by the labor section of the War Labor Board exonerating employees if a strike should occur and placing the onus on employers, public and private, for violating their agreement and refusing to submit to the War Labor Board.

NEW YORK HARBOR STRIKE

The strike committee of the Marine Workers' Affiliation met at once and announced a strike for the morning of January 9. The strike notice included all harbor-marine employees. The railroad, port, and terminal workers, although competing for membership with the Harbor Boatmen's Union, had been granted a charter by the International Longshoremen's Association and later admitted to the Marine Workers' Affiliation. The schedule thus called for a complete tie-up of the harbor. The paralyzing effects of the strike were felt immediately. Probably no other city in the world is as dependent on harbor transportation as New York City. Certainly in no other industry would it be possible for a like number of men on strike to arouse such immediate public concern and actually to menace the well-being of a city the size of New York. Thousands of people dependent on the ferries for transportation to

New York were forced to return to their homes. Thousands of tons of freight destined for Manhattan accumulated quickly on the Jersey side of the harbor. Transports loaded with returning soldiers were unable to berth. Vessels scheduled to depart for European ports remained at their piers. The greatest immediate danger, however, was that of a food and fuel shortage for, like other large cities, New York lives from hand to mouth. Municipal, state, and federal authorities were apparently unable to cope with the situation. Finally cablegrams were sent to the President urging immediate intervention. The reply was prompt and was addressed to the National War Labor Board, the tribunal created by proclamation of the President himself.

I have been informed by the Secretary of Labor as to the serious situation which has developed in the port of New York and the strike of marine workers which seriously crippled the movement of troops and supplies. I consider that a very grave emergency and understand that it has arisen because the parties to the controversy failed to make a joint submission to the National War Labor Board.

I earnestly request that you take up this case again and proceed to make a finding. I appreciate the honesty and sincerity of the Board in announcing on Wednesday that it could not promise a final decision in the controversy without a formal submission from all parties, but I am sure that the War and Navy Departments, the Shipping Board and the Railroad Administration and any other governmental agencies interested in the controversy will use all the power they possess to make your findings effective.

I also believe that private boat owners will feel constrained by every consideration of patriotism in the present emergency to accept any recommendation which your Board may make, although the National War Labor Board, up to the signing of the armistice, was concerned solely with the prevention of stoppage of war work and the maintenance of production of materials essential to the conduct of the war.

I take this opportunity also of saying that it is my earnest hope that in the present period of industrial transition arising from the war, the Board should use all means within its power to stabilize conditions and to prevent industrial dislocation and warfare.

WOODROW WILSON

Although not specifically directing governmental agencies to accept the jurisdiction of the National War Labor Board, the request of the President could not be interpreted in any other way and representatives of the Railroad Administration, the Shipping

Board, and the Departments of War and Navy immediately requested the War Labor Board to act and agreed to accept its findings. The War Labor Board in turn notified employers and employees that jurisdiction had been taken and that hearings would be held. Under these circumstances the strike committee voted, on the evening of January 11, to order the men back to work at once. The strike thus came to an end approximately three days after being called.

Hearings before the War Labor Board began January 13, 1919. Boat owners again refused to submit to the Board and took exception to the personnel of the labor section of the Board declaring that a scurrilous attack had been made upon owners in the public statement issued by the labor section. The objection to the personnel of the Board was overruled and after an executive session, the Board announced that it would hear the case on the joint submission of public owners and their employees, making a decision with respect to the wages and hours of such employees, and that in the case of private boat owners and their employees which did not come to the Board on joint submission, a recommendation would be made.

The hearings before the War Labor Board extended over a period of nearly three weeks. Both sides appeared by counsel, one private boat owner agreeing to submit in order that evidence might be given and witnesses cross-examined. Little evidence was adduced showing the practicability of an eight-hour day in harbor-marine work. In fact the counsel for the employees devoted the greater part of the time to presenting evidence in support of wage demands leaving the question of the eight-hour day as one already recognized by the War Labor Board.

From the outset there was little hope of a unanimous agreement by the War Labor Board. This had been the stumbling-block when the Board had first sought an adjustment. Then, however, the Board did not have a joint submission on the part of any group of harbor interests and without such joint submission the Board was simply a Board of finding, unable to make a finding except by unanimous consent of the members of the Board and unable to refer the case to an umpire because it was not an arbitration board.

Having now obtained joint submission on the part of the government agencies and one private operator, failure to reach a unanimous decision meant that the case went to an umpire. Unanimous agreement was not reached and an umpire was chosen. The umpire after reviewing the evidence declined to make any changes in the wage-rates, and on the question of the eight-hour day—with two minor exceptions—found himself with insufficient evidence to make a decision and recommended the appointment of a commission to investigate the practicability of an eight-hour day in harbor-marine work.

When the decision of the umpire was announced, private boat owners hastened to indicate their willingness to accept it. The Marine Workers' Affiliation, however, declared it to be unsatisfactory and on March 4 declared another strike.

In the meantime conferences had been arranged with the hope of a compromise. Both sides were disappointed with the decision of the umpire and it is probable that both had expected a more favorable award to employees. The Railroad Administration contended for a time that it was bound by its agreement to accept the decision of the umpire, but finally entered into negotiations with the strikers and granted the eight-hour day with wage increases. Other government interests fell in line and only the men employed by private boat owners remained on strike.

For a period of seven weeks the strike against private boat owners continued. Numerous conferences were held at the instance of the United States Department of Labor, and a few private boat owners conceded the demands. The majority, however, remained firm in their unwillingness to arbitrate or to accept the eight-hour day, offering finally a ten-hour day with wage increases, or to arbitrate the question of wages.

READJUSTMENT

The Railroad Administration should probably be given the credit of ending the strike. In the settlement with the Railroad Administration the harbor employees had contended for the closed shop. In answer to this the representatives of the employees were taken to a window overlooking the harbor on which not a

craft was moving and told that a closed shop already existed. In the agreement with the railroads, the closed shop was not mentioned. Men were to perform the work they had been in the habit of performing, which included the towing of privately owned boats. No trouble arose so long as the men on private boats were on strike, but shortly thereafter two of the harbor unions affiliated with the International Longshoremen's Association, the Lighter Captains' and the Tidewater Boatmen, met in conference with private boat owners and signed up agreements. The Railroad Administration was advised that these men had settled and that their boats were ready to tow. As a consequence, the Railroad Administration was able to do part of the towing business of the private owners and to relieve much of the congestion in the port due to the strike. The Marine Workers' Affiliation immediately repudiated the action of the two unions charging the president of the International Longshoremen's Association with having sold out to employers, and announced that unless the Railroad Administration refused to tow boats of private companies that had not signed up with the Affiliation, a strike would again be called on all boats.

Whether the strike would have been successful is problematical. Dissension within the ranks of harbor labor was beginning to be felt. The railroad-marine employees, always more or less aloof from other marine employees, had received an eight-hour day and were reluctant to jeopardize their gains by going on strike. Two of the harbor unions had settled on a satisfactory basis with both the government agencies and the private operators. Moreover, public opinion was against a further extension of the strike on the grounds that the harbor employees had agreed to accept the decision of the War Labor Board. The Central Federated Council, however, threatened to call a sympathetic strike which with the prevailing unrest would have made for a situation difficult to control. Government officials were appealed to and, at the request of the Secretary of Labor, a truce was declared for forty-eight hours. Conferences were arranged with the mayor presiding. Employers agreed to grant the ten-hour day and arbitrate wages. Employees agreed to arbitrate both wages and hours but at last accepted the

ten-hour day agreeing to the arbitration of wages by a committee of employers and employees, and the strike came to an end.

A new difficulty now arose in the selection of an Arbitration Board. Considerable bitterness had developed during the strike, and employers objected to meeting strike leaders in arbitration. Both sides were sufficiently weary of controversy, however, to listen to advice, and it was finally agreed to appoint a committee of twelve from each side—the employees having three from each of the four unions affected, two of each three being actual employees. A smaller committee was provided to constitute an Arbitration Board. In case of a deadlock, an umpire was to be chosen. If an umpire could not be agreed upon, each side was to name one and the two thus chosen if unable to agree would name a third. A wage increase was agreed upon and ratified by both sides.

For the time being peace has been restored in the harbor, and the Marine Workers' Affiliation, strengthened perhaps in the first instance by government interference though later weakened and nearly destroyed by confusion of government interests, may be regarded as a successful experiment. There have been established, however, two sets of wage-rates and working conditions. Government-operated craft are on an eight-hour day and employees receive higher wages than are paid on privately operated boats for a ten-hour day. It is unlikely that employees on private boats will be satisfied with this arrangement for long. The settlement has served to unite the warring factions in the Affiliation and all are again members. On the other hand, the strike united employers as they had not before been united. Few individual settlements were made with employees and a movement is under way to bring all private owners of harbor craft into one organization. However, coupled with the movement toward a closer organization of employers, and the reunion of members of the Marine Workers' Affiliation, appears to be a genuine desire to get together and settle grievances by collective bargaining. Both sides are opposed to outside interference and it may be that this, together with a consciousness of the economic strength of the other, will make for the establishment of permanent machinery for self-adjustment.

Another test will probably come with the restoration to private management of the government-operated boats and a possible reduction in wages or increase in hours of labor. In this, however, the employees on the now government-operated boats will need the support of other members of the several unions, and it may conceivably strengthen the unions and the Affiliation by lessening the danger of independent action by railroad-marine employees. But until there comes to be a feeling of solidarity between skilled and unskilled, the strength of the Affiliation will be predicated upon the strength of the individual unions comprising it.

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